

BOARD OF EXAMINERS IN OPTOMETRY

Regular Session Minutes

**February 16, 2011
DHMH
Teleconference
10:00 a.m.**

The regular session meeting of the Board of Examiners in Optometry was held via teleconference on Wednesday, February 16, 2011. Patricia G. Bennett, Board Administrator, convened in the meeting room #508 at 4201 Patterson Avenue, Baltimore, Maryland. Board members present on the call were, Thomas Azman, O.D, Jo Anne Brilliant, O.D., Phyllis M. Strickland, O.D., Stephen Kwan, O.D., and Frederick J. Walsh, Ph.D. Also on the call was Delia Turano Schadt, Board Counsel. Kisha Fields Matthews, Board Member and Kecia Dunham, Licensing Coordinator, were present in the conference room.

A. Opening of Meeting

Dr. Azman opened the regular session of the Board meeting at 10:15 a.m.

B. Minutes

The regular session minutes of the meeting on November 17, 2010 meeting were approved with the following corrections – in the last sentence of the opening paragraph, replace “was” with “were” and in the Opening of the Meeting replace “Azman” with “Strickland”. Dr. Azman was not in attendance. Dr. Brilliant moved and Dr. Kwan seconded the motion to accept the minutes with changes. The Board’s vote was unanimous.

C. Committee Reports

1. Continuing Education - Dr. Brilliant

Dr. Brilliant indicated that there was no report.

2. Credentialing- Dr. Kwan

Dr. Kwan stated that there was no report.

3. QEI – Dr. Brilliant

Dr. Brilliant reported that the QEI Committee is currently working on the 2011 CE Project. Dr. Brilliant will be meeting with Patricia Bennett and Kecia Dunham on Friday, February 18, 2011 to discuss the final details of the project. She indicated that the goal is to disseminate the project tentatively in March 2011 for credit in the 2012 and 2013 renewal cycles. Dr. Brilliant reported that the optometrists have been selected to participate in the 2009 Record Review Audit. Most of the optometrists submitted their patient logs for 2009 and some submitted logs for 2010. These doctors will be included in the 2010 audit that will be conducted during the summer months after the renewal cycle has ended.

4. Rehabilitation- Dr. Azman

Dr. Azman reported that on the Board’s website there is a link to the Department’s site with information concerning substance abuse resources.

Budget – Dr. Strickland

Dr. Strickland reported that the Board’s available funds are \$123,417.00.

6. ARBO- Dr. Strickland

Dr. Strickland stated that there was no current information to report.

7. Legislation- Dr. Kwan & Kisha Fields Matthews

Dr. Kwan reported that HB 444- Health Insurance – Provider Panels allows insurance carriers to assess an application fee from health care provider seeking to participate on provider panels. Dr. Kwan’s comments were that the bill required an amendment to exclude the fee or to define what constitutes a reasonable fee. Dr. Kwan also reported that SB 371- Health Occupations Boards – Discipline of Health Care Practitioners – Failure to Comply with Governor’s Order – authorizes boards to discipline practitioners who fail to comply with the Governor’s order relating to catastrophic health emergencies. In addition, the state Budget Act of 2011 authorizes the transfer of special funds from the Pharmacy and Psychology Boards. The Optometry Board was not affected by this law.

D. Old Business

1. Regulations

Sanctioning Guideline- Drs. Kwan and Strickland

Dr. Strickland reported that due to inclement weather in January, the meeting that was scheduled to draft proposed language for the Board's sanctioning guidelines was postponed.

2. Legislation

HB 114- Health Occupations Boards – Revision

Ms. Bennett reported that the legislation required the Boards to study the feasibility of expunging disciplinary actions from licensure files. The Boards collectively opposed the expungement of disciplinary actions.

E. Administrator's Report – Patricia Bennett

Ms. Bennett reported that the Board's budget for Fiscal Year 2012 has been submitted and the request was \$248,000, but the allocation for the Board is \$245,623.00. The Board's current fiscal year 2011 budget is \$255,000.00. There was a cut to all the Health Occupation Boards.

The Department of Health and Mental Hygiene has a new Secretary, Joshua M. Sharfstein, M.D. Dr. Sharfstein was Baltimore City Health Commissioner, and FDA, Principal Deputy Commissioner in President Obama's Administration. The former secretary, John M. Comers had agreed to work for the Department for four (4) years.

Ms. Bennett reported that in the fall of 2010, the Legislation Auditors were conducting an audit of the Boards for the time period of February, 2008 through December, 2010. The final report has not been submitted but the Optometry Board was not included in this audit.

Ms. Bennett reported that the Board has a new member to replace Dr. David Reed. Dr. Brian Woolf, of Baltimore has been appointed to the Board. He will be attending the March meeting.

Ms. Bennett reported that online renewal notices will be sent out in March and will notify licensees that they will not be required to list continuing education hours but must sign to certify that they have met the requirement.

Ms. Bennett reported that Dr. Brilliant's first term ends May 30, 2011 and that she is eligible for a second term.

F. New Business

1. Licensees Issued 11/10 – 1/11

Ms. Bennett reported that three (3) licenses were issued during the period. A motion was made by Dr. Strickland and seconded by Dr. Brilliant to approve the licenses issued. The Board's vote was unanimous.

2. COPE Reviewer Approval

ARBO submitted a letter to the Board requesting approval of Dr. Pamela Brogden's request to become a COPE reviewer. A motion was made by Dr. Walsh and seconded by Dr. Strickland to approve Dr. Brogden. The Board's vote was unanimous.

3. NBEO Examiners

Ms. Bennett reported that the NBEO submitted a list of fifteen optometrists, for the Board's approval, who applied to be examiners for the spring 2011 exams. The Board verified that the optometrists were active and in good standing. A motion was made by Dr. Walsh and seconded by Dr. Strickland to submit the verified listing to NBEO. The Board's vote was unanimous.

The Regular session of the meeting via teleconference adjourned at 10:42 a.m.

Respectfully submitted,

Kisha Fields Matthew, Secretary